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T-CROSS

THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

T-CROSS, a South Korean sole proprietorship,

Plaintiff,

v.

MARKETING SPECIALISTS, INC, an Arkansas
corporation,

Defendant.

Case No.: 5:08-cv-02373-JSW

**STIPULATION AND ~~PROPOSED~~ ORDER
TO CONTINUE INITIAL CASE
MANAGEMENT CONFERENCE AND ADR
DEADLINES**

Pursuant to Civil Local Rule 6-2, Plaintiff T-Cross and Defendant Marketing Specialists, Inc. hereby stipulate and jointly request that the Court continue the Initial Case Management Conference and ADR deadlines. The parties jointly declare the following in support of this request:

WHEREAS, the Initial Case Management Conference is presently scheduled for October 17, 2008 at 1:30 P.M.;

WHEREAS, the parties mediated before JAMS on August 22, 2008 and settlement negotiations are ongoing;

WHEREAS, the parties believe that an extension of time for the Case Management Conference and ADR deadlines in this matter may aid the parties in their efforts to resolve this litigation and conserve the resources of the Court and the parties;

WHEREAS, the parties have sought a previous modification to the Order Setting Initial Case Management Conference and ADR Deadlines, and previous stipulations by the parties in this case have been to extend the time for Defendant Marketing Specialists, Inc. to respond to the Complaint pursuant to Civil Local Rule 6-1(a);

WHEREAS, the parties have conferred and mutually agreed that they are available for an Initial Case Management Conference by thirty days;

NOW THEREFORE, the parties through their undersigned counsel hereby stipulate and request the Court to continue the Initial Case Management Conference to occur thirty days from this filing or on a date as soon thereafter as is available with the Court, and that the other dates scheduled in the Court's Order Setting Initial Case Management Conference and ADR Deadlines are continued accordingly.

IT IS SO STIPULATED.

Dated: October 6, 2008

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By: /s/ Margaux A. Aviguetero

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Dated: October 9, 2008

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ORDER

Pursuant to the stipulation of the parties, it is hereby ORDERED that the Initial Case Management Conference is continued to December 19, 2008 at 1:30 p.m., and that the other dates scheduled in the Court's Order Setting Initial Case Management Conference and ADR Deadlines are continued accordingly.

Dated: October 10, 2008



United States District Court Judge